

MAYOR AND COUNCIL
BOROUGH OF CLOSTER

REGULAR MEETING MINUTES – OCTOBER 26, 2011 - 7:30 P.M.

Mayor Heymann called the meeting to order at 8:20 p.m.

1. PROVISIONS OF OPEN PUBLIC MEETINGS ACT STATEMENT

This meeting is called pursuant to the provisions of the Open Public Meetings Act of the State of New Jersey, was included in the Notice of Meetings which was sent to The Record and published on January 9, 2011 and to the Press Journal and published on January 13, 2011, posted on the Municipal Clerk's bulletin board and has remained continuously posted as the required notices under the Statute. In addition, a copy of the notice is and has been available to the public and is on file in the office of the Municipal Clerk.

2. ROLL CALL

The following persons were present:

Mayor Sophie Heymann

Councilpersons John C. Glidden, Jr., John Kashwick, David Barad, Arthur Dolson,
Victoria Amitai

Borough Administrator, Quentin Wiest

Borough Attorney, Edward T. Rogan

Borough Clerk, Loretta Castano

Borough Engineer, Nick DeNicola

Deputy Police Chief, Dennis Kaine

Fire Chief, Nick Varni

Assistant Fire Chief Pesce

The following persons were absent:

Councilwoman Alissa Latner

3. RECOGNITION OF MARK LUPARDI AND SCOTT BILOTTI FOR THEIR SUCCESSFUL LIFESAVING EFFORTS AT THE NORWOOD FIRE (Requested by Mayor 10/14/11) –

Mayor Heymann recognized the emergency personnel who saved a life at a fire in Norwood. Mayor Heymann presented a picture of the Closter ladder truck taken by the Record to the Fire Chief.

4. MAYORAL PROCLAMATION DECLARING THE MONTH OF NOVEMBER AS PANCREATIC CANCER AWARENESS MONTH (5. M.L. 10/13/11)

Mayor Heymann said that her husband died of pancreatic cancer and voiced her dismay that the disease is not recognized as it should be. Mayor Heymann read the proclamation.

5. PUBLIC HEARING AND ADOPTION OF THE FOLLOWING ORDINANCES @ 8:00 P.M. OR AS SOON THEREAFTER AS THE MATTER MAY BE HEARD:

The following Ordinance was introduced at the Regular Meeting held 9/27/11 and was published in The Record on 10/4/11 as stated in the Borough Clerk's affidavit of publication. Reprint of this Ordinance was posted on the Municipal Bulletin Board in accordance with Statutory requirements and copies have been made available to the general public:

ORDINANCE NO. 2011:1109, "AN ORDINANCE AMENDING CHAPTER 200, ZONING, SECTION A-5, DESIGNATION OF HISTORIC LANDMARKS"

Mayor Heymann opened the Public Hearing. No one wishing to be heard, Mayor Heymann closed the public hearing.

Motion approving adoption of Ordinance No. 2011:1109 was made by Councilman Kashwick, seconded by Councilwoman Amitai and declared carried by Mayor Heymann upon the affirmative vote of Councilpersons Glidden, Kashwick, Barad, Dolson and Amitai.

6. PUBLIC HEARING RE REQUEST FOR WAIVER OF SIDEWALK & CURB REQUIREMENT PER BOROUGH CODE CH. 171, ART. V, 29.A. FOR THE FOLLOWING PROPERTY: BLOCK 2305, LOT 11.01, 256 PARSELLS LANE, Roy Freidman (1. M.L. 9/29/11) (Adjourned from RM 10/12/11)

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No one was present in the audience to present the waiver; therefore, Mayor Heymann removed this item from the Agenda

7a. VOTE ON CONSENT AGENDA ITEMS

Motion approving the Consent Agenda minus Item No. 17 was made by Councilman Barad, seconded by Councilman Kashwick and declared carried by Mayor Heymann upon the affirmative vote of Councilpersons Glidden, Kashwick, Barad, Dolson and Amitai.

ORDINANCES

8. INTRODUCTION OF ORDINANCE NO. 2011:1110, “AN ORDINANCE CREATING CHAPTER 60, FOOD AND ASSISTANCE BOARD” PUBLIC HEARING – 11/9/11 @8:00 P.M. OR AS SOON THEREAFTER AS THE MATTER MAY BE HEARD
(Received from Borough Attorney 10/20/11)

RESOLUTIONS

9. RESOLUTION NO. 8 RE AD INTERIM PERMIT
10. RESOLUTION ACCEPTING THE LOW BID OF MARINI BROTHERS CONSTRUCTION CO., INCORPORATED, HACKENSACK, NJ, AT THE BID OPENING HELD 9/23/11 @11:30 A.M. FOR THE CONSTRUCTION OF THE 2009 SAFE SIDEWALKS TO TENAKILL SCHOOL INFRASTRUCTURE PROJECT IN THE AMOUNT OF \$182,538.85 FOR THE BASE BID PLUS ALTERNATE; AND REPEALING A PRIOR AWARD DATED 9/27/11 FOR AN INCORRECT AMOUNT WHICH WAS OVERSTATED BY \$25.00
(Received from Administrator 10/19/11)
11. RESOLUTION AUTHORIZING PARTICIPATION IN THE CRANFORD POLICE COOPERATIVE PRICING SYSTEM (System Identifier 47-CPCPS) FOR THE PURCHASE OF GOODS AND SERVICES PURSUANT TO N.J.S.A. 40A:11-11(5) (Received from Administrator 10/19/11)
12. RESOLUTION AUTHORIZING RELEASE OF REMAINING ZONING BOARD OF ADJUSTMENT LEGAL ESCROW FEES IN THE AMOUNT OF \$50.20 TO ANTHONY AND LUCILLE AUSTRIA FOR BLOCK 507, LOT 5, 66 POPLAR STREET (Received from Deputy Treasurer 10/19/11)
13. RESOLUTION AUTHORIZING CONTRACTS WITH CERTAIN APPROVED STATE CONTRACT VENDORS PURSUANT TO N.J.S.A. 40A:11-12a. as follows:
Duration of Contract: From 10/1/11 to 9/30/12 unless earlier expiration date is indicated;
Commodity/Service: WSCA Computer Contract; Vendor: GOVCONNECTION INC., 2150 Post Road, Fairfield, CT 06824; State Contract #: A70263; Max Amt.: \$7,783.71 (hardware); **AND**
Commodity/Service: WSCA Computer Contract; Vendor: Howard Industries, Inc., Howard Computers, 36 Howard Drive, Ellisville, MS 39437; State Contract #: A70264; Max Amt.: \$3,3795.95 (software) (Received from Administrator 10/19/11)
14. RESOLUTION PURSUANT TO N.J.S.A. 40A:4-55 PROVIDING FOR A SPECIAL EMERGENCY APPROPRIATION OF THE BOROUGH OF CLOSTER, IN THE COUNTY OF BERGEN, NEW JERSEY, AND PROVIDING FOR THE FINANCING THEREOF BY THE ISSUANCE OF SPECIAL EMERGENCY NOTES OF THE BOROUGH TO FUND CONTRACTUALLY REQUIRED SEVERANCE LIABILITIES (PER ORDINANCE NO. 2011:1089) RESULTING FROM RETIREMENTS AND LAYOFFS IN THE FISCAL YEAR 2011 (Prepared by Bond Counsel/Received from Administrator 10/19/11)
15. RESOLUTION AUTHORIZING RELEASE OF REMAINING ESCROW FUNDS IN THE AMOUNT OF \$94.25 TO GREAT BERGEN HOMES LLC FOR SATISFACTORY COMPLETION OF REQUIREMENTS OF CLOSTER CODE CHAPTER 108, ARTICLE II, ZERO INCREASE IN STORM WATER RUNOFF, FOR BLOCK 1904, LOT 14, 380 PIERMONT ROAD (Received from Deputy Treasurer 10/19/11)

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MOTIONS

16. MOTION APPROVING THE FOLLOWING MAYOR AND COUNCIL MINUTES
(Distributed via e-mail on 10/21/11) NO ABSTENTIONS:
- a. REGULAR MEETING OF OCTOBER 12, 2011
 - b. WORK SESSION OF OCTOBER 12, 2011
17. MOTION APPOINTING THE FOLLOWING INDIVIDUAL TO FILL THE FOLLOWING
NON-SALARIED APPOINTMENTS MADE AT THE FOLLOWING MEETINGS (Which
have not been accepted as of the time of preparation of this Agenda)

<u>OFFICE</u>	<u>MEETING</u>	<u>APPOINTEE</u>	<u>TERM</u>	<u>EXPIRATION</u>
IMPROVEMENT COMMISSION Member	Reorg.1/04/11	_____	2 Year	12/31/12

18. MOTION GRANTING APPROVAL FOR THE POLICE DEPARTMENT TO IMPOSE A
9:00 P.M. CURFEW ON CABBAGE NIGHT, SUNDAY, 10/30/11, AND HALLOWEEN,
MONDAY, 10/31/11 (Received from Deputy Chief 10/18/11)
19. MOTION GRANTING APPROVAL FOR THE RECREATION COMMISSION TO
CONDUCT THE ANNUAL HALLOWEEN PARADE ON SUNDAY, 10/30/11; PARADE TO
FORM BEHIND THE BOROUGH HALL AT 12:30 P.M. AND PROCEED AT 1 P.M.
THROUGH THE CENTER OF TOWN TO TENAKILL SCHOOL FOR THE JUDGING OF
COSTUMES (5. M.L. 10/20/11)
20. MOTION GRANTING APPROVAL FOR CLOSTER RECREATION COMMISSION TO
CLOSE MEMORIAL PARK (COMMENCING 11/13/11) AND RUCKMAN PARK
(COMMENCING 11/7/11) “PLAYING FIELDS (GRASSY AREA)” AND REOPENING IN
APRIL PRIOR TO THE START OF BASEBALL/SOFTBALL SEASON (WEATHER
PERMITTING ON 4/21/12) (5. M.L. 10/20/11)
21. REPORTS
- a. DEPUTY CHIEF OF POLICE – SEPTEMBER 2011 (Received 10/14/11)
- 7b. VOTE ON ITEMS REMOVED FROM THE CONSENT AGENDA
22. OPEN MEETING TO PUBLIC FOR ANY MATTER, PER N.J.S.A. 10:4-12 (a)
(Subject to 5-minute limit per By-Laws General Rule No.11)

Mayor Heymann opened the meeting to the public. No one wished to be heard.

- 22a. Motion to approve the payment of \$100 for a full page ad for Project Graduation at the High School was made by Councilman Barad, seconded by Councilman Glidden and declared carried by Mayor Heymann upon the affirmative vote of Councilpersons Glidden, Kashwick, Barad, Dolson and Amitai.
- 22b. Motion to approve the use of Ruckman Field for a Flag Football Tournament by the Supply Education Group on November 5 and 6, subject to the approval of the insurance from the Risk Management Consultant, was made by Councilman Glidden, seconded by Councilwoman Amitai and declared carried by Mayor Heymann upon the affirmative vote of Councilpersons Glidden, Kashwick, Barad, Dolson and Amitai.
- 22c. Motion authorizing Mayor Heymann to execute an agreement with the Bergen County Police Chiefs’ Association concerning the conduct of the Sergeants Promotional Examination was made by Councilman Glidden, seconded by Councilman Kashwick and declared carried by Mayor Heymann upon the affirmative vote of Councilpersons Glidden, Kashwick, Barad, Dolson and Amitai.

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22d. Motion to approve the payment of \$309 to ASCAP for a blanket copyright policy was made by Councilwoman Amitai, seconded by Councilman Kashwick and declared carried by Mayor Heymann upon the affirmative vote of Councilpersons Glidden, Kashwick, Dolson and Amitai. Councilman Barad voted no.

22e. Motion approving the following Resolution at 8:38 p.m. was made by Councilman Glidden, seconded by Councilman Barad and declared carried by Mayor Heymann upon the affirmative vote of Councilpersons Glidden, Kashwick, Barad, Dolson and Amitai.

OMNIBUS OPEN PUBLIC MEETINGS ACT RESOLUTION authorizing the governing body pursuant to N.J.S.A. 10:4-12 to exclude the public from the next portion of the meeting in order to permit the governing body to discuss per N.J.S.A. 10:4-12(b)(4), “A collective bargaining agreement”; and that the item under discussion in the closed meeting would be disclosed to the public at the conclusion of the negotiations which should be within 12 weeks.

Mayor Heymann resumed the Regular Meeting at 9:17 p.m.

23. ANY OTHER MATTER WHICH MAY COME BEFORE THE GOVERNING BODY

Mayor Heymann opened the meeting to the public. No one wished to be heard.

24. ADJOURNMENT

Motion to adjourn the Regular Meeting at 9:18 p.m. was made by Councilman Glidden, seconded by Councilman Kashwick and declared unanimously carried by Mayor Heymann.

Provided via e-mail to the
Mayor and Council on
November 4, 2011 for approval
at the Regular Meeting to be held
November 9, 2011

Loretta Castano, RMC
Borough Clerk

Prepared by Carol A. Kroepke, RMC
utilizing recording and Borough Clerk's
notes

Approved at the Regular Meeting held November 9, 2011
Consent Agenda Item No. 14a.

MAYOR AND COUNCIL
BOROUGH OF CLOSTER

WORK SESSION NOTES – OCTOBER 26, 2011 - 7:30 P.M.

Mayor Heymann called the meeting to order at 7:35 p.m.

1. PLEDGE OF ALLEGIANCE

Mayor Heymann invited all to join in the Pledge of Allegiance.

2. PROVISIONS OF OPEN PUBLIC MEETINGS ACT STATEMENT

This meeting is called pursuant to the provisions of the Open Public Meetings Act of the State of New Jersey, was included in the Notice of Meetings which was sent to The Record and published on January 9, 2011 and to the Press Journal and published on January 13, 2011, posted on the Municipal Clerk's bulletin board and has remained continuously posted as the required notices under the Statute. In addition, a copy of the notice is and has been available to the public and is on file in the office of the Municipal Clerk.

3. ROLL CALL

The following persons were present:

Mayor Sophie Heymann
Councilpersons John C. Glidden, Jr., John Kashwick, David Barad, Arthur Dolson,
Victoria Amitai
Borough Administrator, Quentin Wiest
Borough Attorney, Edward T. Rogan
Borough Clerk, Loretta Castano
Borough Engineer, Nick DeNicola
Deputy Police Chief, Dennis Kaine
Fire Chief, Nick Varni

The following persons were absent:

Councilwoman Alissa Latner

4. REVIEW AND DISCUSSION OF COMMUNICATION ITEMS

a. MAIL LIST OF OCTOBER 13, 2011 - Mayor Heymann asked if any member of the Council or public wished to address any matter or provide any comments. No one wished to remove any items for discussion.

b. MAIL LIST OF OCTOBER 20, 2011 - Mayor Heymann asked if any member of the Council or public wished to address any matter or provide any comments. Item No. 3 was removed by the Borough Administrator; Item No. 6 was removed by Councilman Barad.

Item No. 3: Received 10/18/11, dated 10/18/11 from boroadmin@closterboro.com to boroclerk@closterboro.com re Request from The Supply Education Group to utilize Ruckman Park or any other facilities for a flag football fundraising event on 11/6/11 (Copy to Glenn Parsells)

The Borough Administrator reminded that The Supply Education Group had appeared before the Council earlier in the year to ask for permission to hold a flag football fundraising event at

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Ruckman Park. They are requesting use of the field to hold another similar event. Mr. Wiest informed they have been in touch with Mr. Oettinger considering they are getting ready to close down the fields for the season. Mr. Oettinger came to an agreement with them for the dates of 11/5/11 and 11/6/11. Mr. Wiest informed there is no insurance in place yet; however, they had no issues complying with all of the requirements previously. He anticipates that, if permission is granted, they would be able to comply with same this time as well. Mr. Wiest asked for consideration of authorization to utilize the field contingent upon their satisfactorily completing the insurance requirements of the Borough.

Item No. 6: Received 10/19/11; dated 10/19/11 from Jim Oettinger, Director, Closter Recreation Commission re Field Use and Field Closing for the Winter (Fall 2011): Requesting permission to close Memorial Park (beginning 11/13/11) and Ruckman Park (beginning 11/7/11) Aplaying fields@ (grassy areas) and reopening them, weather permitting on or about 4/21/12 (Copy to William Dahle, III)

Councilman Barad reminded we had a similar request last year and terms were agreed upon for same. He supported this request in accordance with the language of last year's approval. Councilman Glidden affirmed the terms would be the same as last year. Mayor Heymann wanted to clarify for anyone unfamiliar with the request that the only areas being closed off are the playing fields within the parks. In response to Dr. Barad, Mr. Glidden explained as an example, fences are placed around the base line shutting off the actual infield; people can walk their dogs in the park but there is no access to the diamond. Mayor Heymann wanted everyone to know that they welcome dogs in our fields; and because we do make it comfortable for the dogs and their owners, we are not left with the droppings experienced by other towns. It has been a big help having the dogs there and saves us grief and money for field maintenance. Mr. Glidden said the dogs help by chasing the geese away.

5. REVIEW AND DISCUSSION OF CONSENT AGENDA ITEMS FROM REGULAR MEETING
(Refer to Regular Meeting Agenda of October 26, 2011)

Mayor Heymann asked whether the Council desired to discuss any item on the Consent Agenda for approval at the Regular Meeting.

The following items were removed for discussion: Borough Administrator removed Item No. 14. Councilman Barad removed Item No. 18. Councilwoman Amitai removed Item No. 6 on the Regular Meeting Agenda.

7a. VOTE ON CONSENT AGENDA ITEMS

14. RESOLUTION PURSUANT TO N.J.S.A. 40A:4-55 PROVIDING FOR A SPECIAL EMERGENCY APPROPRIATION OF THE BOROUGH OF CLOSTER, IN THE COUNTY OF BERGEN, NEW JERSEY, AND PROVIDING FOR THE FINANCING THEREOF BY THE ISSUANCE OF SPECIAL EMERGENCY NOTES OF THE BOROUGH TO FUND CONTRACTUALLY REQUIRED SEVERANCE LIABILITIES (PER ORDINANCE NO. 2011:1089) RESULTING FROM RETIREMENTS AND LAYOFFS IN THE FISCAL YEAR 2011 (Prepared by Bond Counsel/Received from Administrator 10/19/11)

Borough Administrator noted that a version before the Council this evening is identical to the Resolution contained in the Council packets; and informed that the maximum value of the emergency note is \$618,000, which are the funds that were authorized in order to make payments for contractually required termination benefits for employees that were laid off or retired. Mayor Heymann said that the State has passed special legislation to make this possible.

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18. MOTION GRANTING APPROVAL FOR THE POLICE DEPARTMENT TO IMPOSE A 9:00 P.M. CURFEW ON CABBAGE NIGHT, SUNDAY, 10/30/11, AND HALLOWEEN, MONDAY, 10/31/11 (Received from Deputy Chief 10/18/11)

In answer to Councilman Barad, Mayor Heymann and Deputy Chief Kaine informed that the Curfew applies to those under the age of 18.

6. PUBLIC HEARING RE REQUEST FOR WAIVER OF SIDEWALK & CURB REQUIREMENT PER BOROUGH CODE CH. 171, ART. V, 29.A. FOR THE FOLLOWING PROPERTY: BLOCK 2305, LOT 11.01, 256 PARSELLS LANE, Roy Freidman (1. M.L. 9/29/11) (Adjourned from RM 10/12/11)

At this time, Councilwoman Amitai questioned Item No. 6 on the Regular Meeting Agenda relative to the waiver request; and asked if the other request on Old Closter Dock Road was resolved. Borough Administrator said that the intent of the Old Closter Dock Road request was to return to the Council to readdress the issue. Mayor Heymann reminded that this is a matter for discussion during the Regular Meeting.

6. COMMITTEE REPORTS

A. FINANCE AND TECHNOLOGY - DOLSON (GLIDDEN/ KASHWICK)

Councilman Dolson informed he would be going out of order for his report this evening to address some important issues.

1) STATUS REPORT RE CLOSTER WEBSITE

2) REPORT – The Board of Health took under advisement the Ordinance not to feed wild animals and they are prepared to handle it. Mr. Dolson explained quite a few residents came to the meeting and everything was duly noted. He informed the Committee will revisit the ordinance and remove the harsh language to, hopefully, mediate it to everyone’s satisfaction. Although the process may take several weeks, the Health Officer (Michelle Netusil) informed she will be very generous with the interpretation not arrest people who are doing things that may be misconstrued as feeding the animals but actually are not. The Borough Attorney informed that JoAnn (Riccardi) from his office will be meeting with two people on the Board as well as the professionals to discuss the issues.

Mr. Dolson voiced his opinion that they had a very interesting Zoning Board of Adjustment meeting last week. He explained he has been present at almost all of the meetings over the past two years and he found it to be both intriguing and enjoyable because it was all attorneys speaking. He said they put a new slant on things rather than the petitioners who plead their hardships to try to obtain their approvals. Mr. Dolson informed he didn’t think he could discuss specifics because both are issues that are in litigation in court at this time. He said the Zoning Board is doing due diligence to the issue; and, hopefully, it will be a good resolve for the community.

Mr. Dolson reported that the Ambulance Corps. has summed up their fundraising for the year and they thank the community for their support. The annual election of new officers for next year is coming up. The Ambulance Corps. shares the burden of command from year to year in the same fashion as the Fire Department.

Mr. Dolson reported he looked at finances, we are still in good shape and he feels they have been monitoring it well. He explained that it is around this time of the year that they start planning and budgeting for next year and doing transfers if necessary. He voiced his understanding that it doesn’t look like it’s going to be anything significant and noted there are a few issues to put into it, one of which the Administrator already discussed. Mr. Dolson summated that he doesn’t think there is anything outstanding or unusual about the Budget this year; and that it was very successful.

6. COMMITTEE REPORTS (Continued)

A. FINANCE AND TECHNOLOGY - DOLSON (GLIDDEN/ KASHWICK) (Continued)

Mr. Dolson informed there was the potential for the IT Committee as a whole to visit the web site to see whether there can be new additions, upgrades or improvements. The web site has been in existence for several years. The Committee will review some suggestions they have received and see if the technology is there to fulfill some of them.

B. PUBLIC SAFETY - GLIDDEN (DOLSON/LATNER)

1) REPORT – Councilman Glidden informed negotiations of the next PBA contract will be commencing as of tomorrow morning.

Mr. Glidden noted there was a request in the Mail List for the Recreation Commission to hold the annual Halloween costume parade this Sunday, 10/30/11, at 1 o'clock at Tenakill School. He invited everyone to attend and voiced his opinion that it is a really nice show in Closter.

C. PUBLIC WORKS - LATNER (AMITAI/GLIDDEN)

1) REPORT – Mayor Heymann informed Councilwoman Latner is out for an excused absence; therefore, no report was provided.

D. ORDINANCES - BARAD (KASHWICK/AMITAI)

1) REPORT RE ORDINANCE COMMITTEE MEETINGS – Councilman Barad reported the Ordinance Committee is almost caught up. He informed there are some pending issues waiting to come back from the Planning Board. Dr. Barad voiced his hope that some of those issues will be resolved this weekend during the Joint Meeting, which he encouraged everyone to attend.

2) REPORT – Councilman Barad informed, for those who were not aware, that a Closter resident has been involved in the Michael Jackson trial as an expert witness; Steve Schaeffer, an anesthesiologist, testified for the prosecution. Dr. Barad said he wanted anyone who caught part of it to be aware of same.

E. HUMAN RESOURCES - KASHWICK (BARAD/DOLSON)

1) REPORT RE PERSONNEL COMMITTEE MEETINGS - Councilman Kashwick reported the Personnel Committee met earlier to discuss a personnel matter. He said it became apparent from that meeting that they are going to have to revisit the Personnel Manual sometime soon.

2) REPORT – Councilman Kashwick reported on the following:

a. Shade Tree Commission completed the inventory of trees for all election districts. Three districts were completed last year; and the other three were completed this year; so now all of that information is in the database. They also completed re-mulching some of the trees that had been planted over the last few years and removed the volcanoes. Mr. Kashwick explained there were some incidents where residents would pile up woodchips several inches at the base of the trees, which is very bad for them. The Commission received a quote for replacing the tree grates in the downtown area which need to be widened; and that should be taking place in the next couple of months.

b. Environmental Commission – Just a reminder the Harvest Festival is this weekend, scheduled for Saturday, 10/29/11, from 4 p.m. to 6 p.m.; but due to the weather that is predicted, most likely it will be held on the rain date, Sunday, 10/30/11. At this time, Mr. Kashwick extended thanks on behalf of the Commission to Steve Isaacson, who looked at the trails and made some suggestions for improvements that need to be made due to the hurricane. One of the bridges installed approximately two years ago by the DPW has moved several feet and needs to be moved back to its original place. There was discussion of the three minute idling ordinance which had been discussed in the past and was objected to by Chief Berrian; and he asked to be reminded what the reasoning was why the ordinance was not brought forth. In response to Mr. Kashwick, Deputy Chief Kaine informed he was

6. COMMITTEE REPORTS (Continued)

E. HUMAN RESOURCES - KASHWICK (BARAD/DOLSON) (Continued)

not aware. The Borough Attorney voiced his understanding that it may have been pre-empted by a State law and that he would check into same.

Mayor Heymann said it is a matter of enforcement; and the issue has been on her mind for many years. In response to the Mayor, Mr. Kashwick affirmed he had spoken to Brenda Cummings regarding same. Mr. Glidden remembered having seen signs asking people to turn off their engines; and the Borough Clerk informed there are signs at both Tenakill and Hillside Schools. The Mayor said unfortunately, it is difficult to enforce because the limited amount of police cannot direct traffic and enforce the idling law. She explained there are two idling issues: one is the idling of parents waiting for children and the other is the idling of municipal vehicles while they are on duty. She voiced her understanding that perhaps it was the latter which was objected to by Chief Berrian. Mayor Heymann said that often, when the Police are at an intersection covering traffic, they leave the car engine on to run the lights. In response to the Mayor, Deputy Chief Kaine explained that at a traffic accident, the lights need to be on because it is an emergency scene; and keeping the lights on will drain the battery; therefore, the car needs to be running. He further explained that patrol work sites require the overhead lights flashing for safety purposes. Mr. Kashwick voiced his opinion that they could probably put exceptions into that. He questioned if the proposed Borough ordinance had a limit of 30 minutes and was not consistent with the State limit of three minutes. The Borough Attorney affirmed that State Statute pre-empts regardless of what the ordinance says. For Police purposes, he said they would enforce the State Statute; and the Borough could make its ordinance more restrictive rather than less.

c. The Historic Preservation Commission is planning to hold a hearing next month regarding designation of the AME Zion Church. Notifications will go out shortly regarding same. The new street signs for the proposed Historic District have been put out for bid. The (Auryansen) Cemetery is looking good and has favorable reports. Mr. Kashwick reminded there is a presentation on 11/8/11 at 7 p.m. regarding the Lustron Home and Closter's History of WWII. He informed on Sunday, 11/6/11, at 3:30 p.m. there will be a film about beekeeping and the importance of honeybees, which is being sponsored by the Green Team.

F. LAND USE AND CONSTRUCTION – AMITAI (BARAD/DOLSON)

1) REPORT – Mrs. Amitai reported that the Building Department is optimistic with two or three new houses per month coming in recently; we are not in the red. She informed they are handling normal enforcement issues. The music store on the corner of Herbert Avenue and Closter Dock Road has changed ownership. She reported there is a new Turkish restaurant in town where Morse's Pharmacy used to be. A work stop order had been issued for one project but it has rectified itself with the help of our Borough Engineer.

Mrs. Amitai reported the Improvement Commission is once again entertaining the idea of resurrecting the attempt to do something with dumpsters in parking lots. Mr. Miele gave us permission to paint his dumpsters. They would like to enlist the help of our local children to do dumpster art. Mrs. Amitai asked for feedback from the Council whether there are any reasons why they wouldn't support the project before they put forth a big effort. She said they have cooperation from the High School Art Club; perhaps for their Senior Service at the end of the year. Tenakill School and perhaps Hillside School, and Lindgren expressed interest in the project. They think they would like to open it up to other groups just to make baby steps forward towards improving the town. Dr. Barad voiced his opinion that it sounds like a good idea and asked what types of things will be painted on them. Mrs. Amitai explained the idea is still in its infancy; and the original idea was to have them all painted the same color, similar to the green seen on John Deere tractors. The theme would be anything nature and it wouldn't be neon; there would be guidelines. Mr. Glidden and Mr. Dolson were in agreement that they wouldn't want them to look like the sides of a subway car with graffiti on it. Mrs. Amitai

6. COMMITTEE REPORTS (Continued)

F. LAND USE AND CONSTRUCTION – AMITAI (BARAD/DOLSON) (Continued)

explained that on top of the base color they would like three sides decorated for continuity and have the art on the front side so it is visible to the public. Dr. Barad voiced his concerns that there would be children wandering around a big piece of equipment and the potential for injury. Mrs. Amitai responded that there would be teams with adult supervision. The Borough Attorney advised that if it was a Borough sponsored event, they would just need to notify the JIF to obtain coverage. He also informed that as Mr. Miele owns the dumpsters, he would have some exposure as well if something were to happen. Mrs. Amitai mentioned the possibility of getting inmates to help for the power washing or cleaning up of the dumpsters to prepare for the painting.

At this time, Mayor Heymann announced that Councilwoman Amitai just became a new grandmother and Councilman Barad became a grandfather. (Mr. Glidden having preceded them with that honor.)

At this time, Mrs. Amitai questioned where the responsibility lies with re-stripping crosswalks and Mayor Heymann informed the DPW handles the crosswalks by Heidenberg Plaza at Closter Dock Road and Oakland Avenue. In response to Mayor Heymann, the Borough Engineer said although it is a County road, he believes the DPW still takes care of that; and he agreed to check on same and follow up on the matter.

Mrs. Amitai questioned if the newer entrance and exit to the Plaza have been working out well as compared to the old setup. Deputy Chief Kaine volunteered to pull up the reports and statistics for the past few years and agreed to follow up on same.

7. OLD BUSINESS

- a. STATUS REPORT RE REQUEST FOR NAME CHANGE AT VETERAN'S MEMORIAL PARK AND A NEW SIGN (3. M.L. 2/17/11; referred to O&L Committee for W.S. 3/23/11; Placed on WSA 5/11/11 per request of Dr. Barad 4/26/11)

Mayor Heymann reported that the sign is being paid for and should be in place for Veterans Day.

At this time, Borough Administrator addressed the street sweeping requirements, which are required by the New Jersey Storm Water Regulations and explained the DPW Superintendent advised that the requirement to sweep the streets once a month takes approximately 10 to 15 days per month. The business district is swept twice a week and around the Houses of Worship every Friday. All roads get cleaned twice at the end of leaf season and three times for Spring clean up.

Relative to the Parking Trust Fund, Borough Administrator advised that the balance currently amounts to \$58,300; and the last deposit was made in December 2009. Mr. Wiest said it has been quite a number of years since the last expenditure, and the last one that he could determine was in 2004. He informed he was not aware of any current expenditures.

Relative to the update of Minutes on the website, Borough Administrator reported that Kevin Whitney has made a lot of headway in the past two weeks; and he would be working on a procedure whereby the Assistants and Board Secretaries would be able to post the (approved) Minutes on the website.

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Borough Administrator reported that pricing for the demolition of 131 West Street has been received and the low price was \$12,816 from Mauro Builders Excavating and Demolition Contractors. He would discuss the funding with the Chief Financial Officer; and arrangements would be made for the required rodent control inspection. As soon as the inspection is complete, the contractor would be notified to conduct the demolition. He said that he had a satisfactory meeting with the contractor on Friday.

6. NEW BUSINESS

Borough Administrator referred to a Council decision to conduct a promotional exam for sergeants in the Police Department. A vendor from the New Jersey State Association of Police Chiefs would give the written exam; and preparation for same is underway. A simple agreement must be signed; and he requested that either he or the Mayor be authorized to sign same after review of the Agreement by the Borough Attorney.

Mayor Heymann referred to a potential study of possible parking areas in the Borough and said that the subject would probably be discussed at the Joint Board Meeting on Saturday, 10/29/11. She provided a proposal that had been received sometime ago.

Mayor Heymann said that the High School Project Graduation would be conducting a Fashion Show in the Spring and she suggested that a page in the journal in the amount of \$100 be approved by the Council.

Relative to Closter Plaza, Mayor Heymann advised that there was a meeting in Bankruptcy Court this past Thursday; and the bankruptcy plan was accepted by the Court. There would be another meeting in November.

Mayor Heymann reminded everyone of the Joint Meeting this Saturday for all of the Land Use Boards from 9a.m. to 11a.m.

Mayor Heymann asked for authorization for a contract with ASCAP to cover the Borough in case copyright laws are violated. Borough Attorney said ASCAP is an organization that holds the rights to millions of songs and they provide a blanket policy to municipalities for public celebrations. The premium for the municipality is \$309 for the year; and the town would be covered for anyone hired by the town.

Councilwoman Amitai advised that she would not be able to attend the Joint Meeting and expressed her opposition to the expenditure of funds on a parking study. She said a study was performed by the Borough Engineer not too long ago; and inasmuch as we have the best architects and engineers on our Boards, it would be a waste of money.

7. OPEN MEETING TO THE PUBLIC FOR ANY MATTER PER NJSA 10:4-12(A) (SUBJECT TO A 5-MINUTE LIMIT PER GENERAL RULE NUMBER 11) EXCEPT FOR ITEMS SCHEDULED FOR PUBLIC HEARING AT THE REGULAR MEETING

Steve Isaacson, 97 Columbus Avenue, expressed his agreement with Councilwoman Amitai noting that there are not too many places to develop. He said that the people who work in the Borough should be consulted before any funds are expended.

Mr. Isaacson suggested approved stencils be obtained for the garbage dumpsters in a common theme.

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He said that the downtown residents do not have garbage cans; and the property maintenance people should be enforcing the use of same rather than using dumpsters at the retail businesses. Relative to the Health Department, he said the Mayor and Council should be provided with notification for review before a law is enacted. He commended the Borough Administrator for answering questions very thoroughly. He referred to the Nature Center 50th Anniversary and voiced his opinion that as much money that is spent on Recreation should be spent on the Nature Center.

Mr. Isaacson referred to the law prohibiting the discharge of pool water into streams; and he questioned if the Borough is going to enforce this law.

- 10. DISCUSSION OF PUBLIC COMMENTS, IF APPROPRIATE
- 11. ANY OTHER MATTER WHICH MAY PROPERLY COME BEFORE THE GOVERNING BODY
- 12. ADJOURNMENT

Motion to adjourn the Work Session was made at 8:20 p.m. by Councilman Kashwick, seconded by Councilman Glidden and declared unanimously carried by Mayor Heymann.

Provided via e-mail to the
Mayor and Council on
November 4, 2011 for approval
at the Regular Meeting to be held
November 9, 2011.

Loretta Castano, RMC
Borough Clerk

Prepared by Arlene Corvelli and
Carol Kroepke, RMC, utilizing recording
and Borough Clerk's notes

Approved at the Regular Meeting held November 9, 2011
Consent Agenda Item No. 14b.